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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,646	02/12/2004	Susann Marie Keohane	AUS920030921US1	5650
43307	7590	03/18/2008		
IBM CORP (AP) C/O AMY PATTILLO P. O. BOX 161327 AUSTIN, TX 78716			EXAMINER KESSLER, MATTHEW E	
			ART UNIT 2145	PAPER NUMBER
			MAIL DATE 03/18/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/777,646	Applicant(s) KEOHANE ET AL.	
	Examiner Matthew E. Kessler	Art Unit 2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 2-4, 7-9 and 13-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 5, 6 and 10-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 December 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/18/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-19 are pending in examination.
2. Claims 2-4, 7-9, and 13-19 have been canceled.
3. Claims 1, 5-6, 10-12 are rejected.

Response to Arguments

Information Disclosure Statement

The IDS which has been submitted 12/18/2007 has been considered and is accepted.

Drawings

The drawings which have been submitted on 12/18/2007 are accepted and have overcome the previous deficiencies objected to by the Examiner.

Specification

The amendments to the specification have been considered and accepted. The previous objections to paragraph [0009] and [0064] have been overcome in light of the amendments. The Examiner has found the Applicant's arguments in regards to block 1130 of Fig 1 to be persuasive as the applicant has shown that the specification as a whole teaches what the term "jumping" means. The Examiner withdraws his previous objections to the specification.

Claim Amendments overcome Rejections

4. The Applicant has argued in regards to claims 1, 6 and 11 that Scian does not teach:
- a) detecting, at a sender system, a sender selection within a user interface of at least one suggested folder name for a composed electronic message for a recipient receiving the electronic message to select as a folder name for filing said electronic message; or attaching said at least one suggested folder name to said electronic message at said sender system for distribution to said recipient

The applicant has argued that Scian does not teach the above limitation since "Scian does not teach or enable a sender to set a suggested folder name."

Applicant's argument has been considered but is not found persuasive. Scian clearly teaches in paragraph [0045] that "if the current message is an outgoing message, then the pre-selected folder 22 is presented as the folder in which the user can find the file to be attached to the current message. In both cases, of course, the user is free to override the pre-selection and to select another file folder." It is clearly taught that a user through an override can select a file folder for suggested filing purposes. In this instance Scian is speaking about messages with attachments, and it is interpreted that an attachment which is sent electronically is an electronic message. Additionally paragraph [0027] teaches the same method of selecting folders for the message with or without attachments.

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b) responsive to receiving said electronic message at a recipient system for said recipient, filtering said electronic message to detect said at least one suggested folder name specified by said sender in said electronic message for filing said electronic message from among a plurality of filing folders in a messaging filing directory

The applicant has argued that Scian does not teach the above limitation since "Scian does not teach or enable filtering an electronic message to detect a suggested folder name already specified by the sender in the electronic message."

Applicant's argument has been considered but is not found persuasive. Scian clearly teaches in paragraph [0045] that "If the current message is an incoming message, then the pre-selected folder 22 is for storing the attachment. That is, if the user indicates that he or she wishes to save the attachment, then the system will present the pre-selected file as an easily executable option." In this case the pre-selected folder is presented to the user for suggested filing. In this instance Scian is speaking about messages with attachments, and it is interpreted that an attachment which is sent electronically is an electronic message. Additionally paragraph [0027] teaches the same method of selecting folders for the message with or without attachments.

c) responsive to said recipient selecting to file said electronic message, automatically expanding a display directory of said plurality of filing folders to display said at least one suggested folder in a graphically distinguishable format from said display of other folders of said plurality of filing folders

The applicant has argued that Scian does not teach the above limitation because "Scian's description of a user interface with means for displaying the pre-selected folder in paragraph 0027 does not explicitly or implicitly teach automatically displaying a director of filing folders to display the suggested folder in a graphically distinguishable format from the other folders."

Applicant's argument has been considered but is not found persuasive. Paragraph [0027] teaches that "As shown in FIG. 1, the system 20 also includes a user interface 64. This user interface 64 **includes a means for displaying the current message 24** as well as the **pre-selected folder 22'**. By using a folder allocation module, the user can then either approve this pre-selected folder 22', in which case the current message 24 will be allocated to the pre-selected folder 22', or, alternatively, **can allocate the current message 24 to another folder in the plurality of folders 22.**"

First the Examiner notes that Scian teaches a means for displaying the current message, pre-selected folder, and the plurality of folders (it is interpreted that the plurality of folders is also displayed since the folder can also be allocated to them). It is not further disclosed as to what the means for displaying the message as well as the pre-selected folder are, but there are means to display them both. It is disclosed that within the interaction between the user interface and the folder allocation module, the user can allocate the current message to another folder in the plurality of folders. It is taught that this is an alternative to the previous case in which the pre-selected folder was displayed. Therefore it is interpreted that in the first case the pre-selected folder was displayed in a way that was graphically distinguishable from the plurality of other folders.

5. The Applicant has argued in regards to claims 1, 6, and 11 that Mousseau does not teach:

a) detecting, at a sender system, a sender selection within a user interface of at least one suggested folder name for a composed electronic message for a recipient receiving the electronic message to select as a folder name for filing said electronic message

Applicant's arguments with respect to claims 1, 6, and 11 have been considered but are moot in view of the new ground(s) of rejection.

6. The Applicant has argued in regards to claims 5, 10, and 12 that they are allowable since the independent claims from which they derive are in a condition for allowability.

Claims 1, 6 and 11 have been rejected under 35 USC 103(a). The previous rejections of claims 5, 10 are maintained in further view of the new independent claims 1, 6, and 11. The newly amended claim 12 is rejected in the same fashion as claims 5 and 10.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
7. Claims 1, 6, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scian et al. (Scian, hereinafter) US Patent Application 2006/0026236 in further view of “Windows XP Automatically Expanding a display directory.” (Microsoft, hereinafter).

As to claim 1, Scian teaches A method for providing electronic message filing recommendations comprising (the abstract states “in a computer system, a system, method and computer program product for pre-selecting a folder for a current message. Paragraph [0001] also states that “the present invention relates generally to message storage and more particularly relates to pre-selecting a folder from a plurality of folders for storing a message.”);

detecting, at a sender system, a sender selection within a user interface of at least one suggested folder name for a composed electronic message for a recipient receiving the electronic message to select as a folder name for filing said electronic message (Scian clearly teaches in paragraph [0045] that “if the current message is an outgoing message, then the pre-selected folder 22 is presented as the folder in which the user can find the file to be attached to the current message. In both cases, of course, the user is free to override the pre-selection and to select another file folder.” It is clearly taught that a user through an override can select a file folder for

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suggested filing purposes. In this instance Scian is speaking about messages with attachments, and it is interpreted that an attachment which is sent electronically is an electronic message.

Further clarity is found when Scian teaches what happens when an incoming message with a pre selected folder is received. Scian teaches in paragraph [0045] that "If the current message is an incoming message, then the pre-selected folder 22 is for storing the attachment. That is, if the user indicates that he or she wishes to save the attachment, then the system will present the pre-selected file as an easily executable option." It can be seen that the pre-selected folder is presented to the user as a choice for filing. Additionally paragraph [0027] teaches the same method of selecting folders for the message without attachments.);

attaching said at least one suggested folder name to said electronic message at said sender system for distribution to said recipient (Paragraph [0045] teaches that a folder is selected and associated with the sent electronic message.);

responsive to receiving said electronic message at a recipient system for said recipient, filtering said electronic message to detect said at least one suggested folder name specified by said sender in said electronic message for filing said electronic message from among a plurality of filing folders in a messaging filing directory (Scian clearly teaches in paragraph [0045] that "If the current message is an incoming message, then the pre-selected folder 22 is for storing the attachment. That is, if the user indicates that he or she wishes to save the attachment, then the system will present the pre-selected file as an easily executable option." In this case the pre-selected folder is presented to the user for suggested filing. In this instance Scian is speaking about messages with attachments, and it is interpreted that an attachment which is sent

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electronically is an electronic message. Additionally paragraph [0027] teaches the same method of selecting folders for the message with or without attachments.); and

responsive to said recipient selecting to file said electronic message, to display said at least one suggested folder in a graphically distinguishable format from said display of other folders of said plurality of filing folders, such that a recommendation of relevant folders for filing said electronic message is provided ().

But Scian does not teach automatically expanding a display directory of said plurality of filing folders.

However, Microsoft teaches automatically expanding a display directory of said plurality of filing folders (Steps 1-4 show when a user is filing a file or folder into a target directory, the intended target filing folder will automatically expand after the cursor hovers over the target filing folder for a few seconds.)

It would have been obvious at the time of the invention by one of ordinary skill in the art to combine Scian's method for providing electronic message filing recommendations with Microsoft's method of automatically expanding a folder since automatically expanding a folder would allow a user to view all of the available subdirectories or contents of the expanded folder.

Claims 6 and 11 are rejected for the same reasons as claim 1.

8. Claims 5, 10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Scian et al. US Patent Application 2006/0026236 and "Windows XP Automatically Expanding a display directory" in further view of Michael Gleicher's article

“Integrating Constraints and Direct Manipulation” appearing in Proceedings 1992 Symposium on Interactive 3D Graphics pages 171-174 (Gleicher, hereinafter).

As to Claim 5, the combination of Scian and Microsoft teach all of the limitations of claim 1, but does not teach responsive to detecting an icon for said particular electronic message dragged into a display region for said plurality of filing folders, automatically positioning said icon over said at least one suggested folder.

However, in an analogous art, Gleicher discloses the combination of snapping techniques and constraint techniques which teaches responsive to detecting an icon for said particular electronic message dragged into a display region for said plurality of filing folders, automatically positioning said icon over said at least one suggested folder. Automatic positing of and icon while dragging is widely known as a type of direct manipulation for user interfaces. Snap-to-locations are frequently used in graphical user interfaces, and in such systems objects which are being dragged will be automatically positioned most often according to a grid location. Gleicher combines such direct manipulation techniques with constraints that can be set to automatically position the object according to the constraint. It is interpreted that applicants system is using a constraint based direct manipulation method, where the constraint is the corresponding suggested folder, and the direct manipulation is the dragging of an icon.

Therefore, it would have been obvious to one of ordinary skill in the art to combine Gleicher’s constraint based direct manipulation with Scian’s method for providing electronic message filing recommendations because as Gleicher suggests in the 1st paragraph of his article that “by integrating constraints with direct manipulation, it is possible to build system that

provide the power of explicit representation of geometric relationships and the properties which make direct manipulation so attractive.”

Claims 10 and 12 are rejected under the same grounds and reasons for rejection as claim 5.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Kessler whose telephone number is (571) 270-5005. The examiner can normally be reached on Monday through Thursday 7:00 am - 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571)272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MK/

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145